

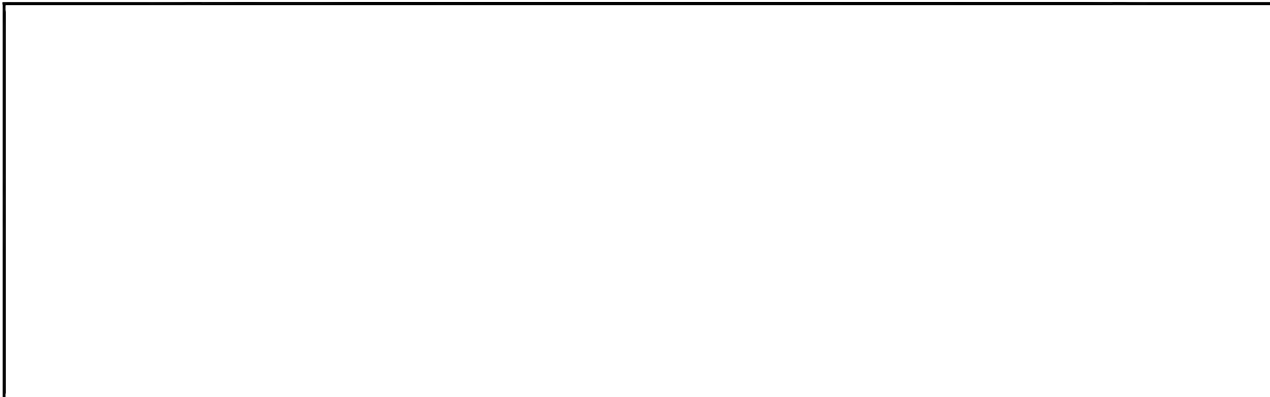
CONFIDENTIAL

JOURNAL

OFFICE OF LEGISLATIVE COUNSEL

Wednesday - 10 November 1971

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2. () In response to his call yesterday, I told Sam Goldberg, Legislative Assistant to Senator Charles McC. Mathias (R., Md.), that the Director would welcome a breakfast visit from the Senator. I pointed out, however, that the Director's schedule makes it impossible to get together this week (Goldberg said the Senator had the same problem this week). It was agreed I would call Mrs. MacArthur, the Senator's personal secretary, next week to see if we could arrange a suitable time for the visit.

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3. () Called Clark MacGregor, Counsel to the President for Congressional Relations, and made a date with him for 10:00 a.m. tomorrow to discuss our problem with Senator Case.

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4. () Called Eugene Cowen, Special Assistant to the President, to ask if he had gotten much flack on the Hill regarding the White House announcement on the intelligence community. He said he had talked to over a dozen senators on the Foreign Aid bill since the announcement, but none had raised the question of the intelligence community. Cowen himself was not aware of Senator Symington's speech, and I explained to him its main points, and offered suggestions as to how they might be refuted which Cowen appreciated.

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PRIOR AUTHORIZATIONS BY CONGRESS

SEC. 701. Notwithstanding any other provision of law, no appropriation shall be made to the Secretary of State, or to any Government agency authorized to administer the provisions of this Act, under any law for any fiscal year commencing on or after July 1, 1972, unless previously authorized by legislation hereafter enacted by the Congress.

VIII. SECTION 7(a), SPECIAL FOREIGN ASSISTANCE ACT OF 1971 (22 U.S.C. 2411 note)

SEC. 7. (a) In line with the expressed intention of the President of the United States, none of the funds authorized or appropriated pursuant to this or any other Act may be used to finance the introduction of United States ground combat troops into Cambodia, or to provide United States advisers to or for Cambodian military forces military, paramilitary, police, or other security or intelligence forces in Cambodia.

IX. SECTION 401(a) OF PUBLIC LAW 89-367,
APPROVED MARCH 15, 1966

SEC. 4. (a) (1) Not to exceed \$2,800,000,000 of the funds authorized for appropriation for the use of the Armed Forces of the United States under this or any other Act are authorized to be made available for their stated purposes to support: (A) Vietnamese and other free world forces in support of Vietnamese forces, (B) local forces in Laos and Thailand; and for related costs, during the fiscal year 1971 on such terms and conditions as the Secretary of Defense may determine. None of the funds appropriated to or for the use of the Armed Forces of the United States *or of any department, agency, or independent establishment of the United States* may be used for the purpose of paying any overseas allowance, per diem allowance, or any other addition to the regular base pay of any person serving with the free world forces in South Vietnam if the amount of such payment would be greater than the amount of special pay authorized to be paid, for an equivalent period of service, to members of the Armed Forces of the United States (under section 310 of title 37, United States Code) serving in Vietnam or in any other hostile fire area, except for continuation of payments of such additions to regular base pay provided in agreements executed prior to July 1, 1970. Nothing in clause (A) of the first sentence of this paragraph shall be construed as authorizing the use of any such funds to support Vietnamese or other free world forces in actions designed to provide military support and assistance to the Government of Cambodia or Laos.

(2) No defense article may be furnished to the South Vietnamese forces, other free world forces in Vietnam, or to local forces in Laos or Thailand with funds authorized for the use of the Armed Forces of the United States *or of any department, agency, or independent establishment of the United States* under this or any other Act unless the government of the forces to which the defense article is to be furnished shall have agreed that—

(A) it will not, without the consent of the President—

(i) permit any use of such article by anyone not an officer, employee, or agent of that government,

(ii) transfer, or permit any officer, employee, or agent of that government to transfer such article by gift, sale, or otherwise, or

(iii) use or permit the use of such article for purposes other than those for which furnished;

(B) it will maintain the security of such article, and will provide substantially the same degree of security protection afforded to such article by the United States Government;

(C) it will, as the President may require, permit continuous observation and review by, and furnish necessary information to, representatives of the United States Government with regard to the use of such article; and

(D) unless the President consents to other disposition, it will return to the United States Government for such use or disposition as the President considers in the best interests of the United States, any such article which is no longer needed for the purposes for which it was furnished.

The President shall promptly submit a report to the Speaker of the House of Representatives and the President of the Senate on the implementation of each agreement entered into in compliance with this paragraph. The President may not give his consent under clause (A) or (D) of this paragraph with respect to any defense article until the expiration of fifteen days after written notice has been given to the Speaker of the House of Representatives and the President of the Senate regarding the proposed action of the President with respect to such article. As used in this paragraph the term "defense article" shall have the same meaning prescribed for such term in section 644(d) of the Foreign Assistance Act of 1961. In order to allow a reasonable period of time for the Department of Defense to comply with the requirements of this paragraph, the provisions of such paragraph shall become effective sixty days after the date of enactment of this paragraph.

X. JOINT RESOLUTION AUTHORIZING THE PRESIDENT TO EMPLOY THE ARMED FORCES OF THE UNITED STATES FOR PROTECTING THE SECURITY OF FORMOSA, THE PESCADORES, AND RELATED POSITIONS AND TERRITORIES OF THAT AREA, APPROVED JANUARY 29, 1955 (69 STAT. 7; PUBLIC LAW 84-4)

That the President of the United States be and he hereby is authorized to employ the Armed Forces of the United States as he deems necessary for the specific purpose of securing and protecting Formosa and the Pescadores against armed attack, this authority to include the securing and protection of such related positions and territories of that area now in friendly hands and the taking of such other measures as he judges to be required or appropriate in assuring the defense of Formosa and the Pescadores.